

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

WILDEARTH GUARDIANS and  
MONTANA ENVIRONMENTAL  
INFORMATION CENTER,

Plaintiffs,

vs.

RYAN ZINKE, et al.

Defendants,  
and

SPRING CREEK COAL, LLC,

Intervenor-Defendant.

CV 17-80-BLG-SPW-TJC

**ORDER**

The Court has reviewed the parties' Joint Proposed Case Management Plan and hereby enters the following order:

A. Federal Defendants will compile and serve an administrative record on all other Parties on or before December 1, 2017. The administrative record must be in electronic format in an indexed and searchable format.

B. After Federal Defendants compile and serve the administrative record, the Parties will endeavor to resolve any issues or disputes resolving the adequacy of the record. Plaintiffs WildEarth Guardians and Montana Environmental

Information Center, and Intervenor-Defendant Spring Creek Coal, LLC agree to confer with Federal Defendants regarding any record disputes on or before December 8, 2017. Should any such efforts prove unsuccessful, Plaintiffs or Intervenor-Defendant shall have until December 15, 2017, to file any motions to complete or supplement the record.

C. If there are no unresolved disputes about the adequacy of the administrative record, Federal Defendants shall file the final administrative record with the Court and, if it has been changed, serve it on the other Parties by December 15, 2017.

D. Plaintiffs shall have until January 5, 2018, to file any motion to amend the complaint.

E. Plaintiffs shall file their motion for summary judgment and brief in support by February 2, 2018.

F. Federal Defendants shall file their combined response to Plaintiffs' motion for summary judgment and cross-motion for summary judgment by March 2, 2018.

G. Intervenor-Defendant shall file its combined response to Plaintiffs' motion for summary judgment and cross-motion for summary judgment by March 9, 2018.

H. Plaintiffs will file their combined reply in support of summary judgment and response to Federal Defendants' and Intervenor-Defendant's cross-motions for summary judgment by April 6, 2018.

I. Federal Defendants shall file their reply brief in support of their cross-motion for summary judgment by April 27, 2018.

J. Intervenor-Defendant shall file its reply brief in support of its cross-motion for summary judgment by May 4, 2018.

K. If any Party files a motion to complete or supplement the administrative record, then the above schedule for amending pleadings and dispositive briefing shall be automatically vacated, without further order of the court. Within one week following resolution of such motions, the Parties shall submit a new joint proposed case management plan for resolving this action.

DATED this 24th day of October, 2017.

  
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TIMOTHY J. CAVAN  
United States Magistrate Judge